

CHAMPLAIN REGIONAL COLLEGE
OF GENERAL AND VOCATIONAL EDUCATION



BY-LAW NUMBER 4
BY-LAW CONCERNING
HUMAN RESOURCE MANAGEMENT
OF THE COLLEGE

This by-law was adopted for the first time by Board of Governors resolution number 1463 on April 30, 1993 and subsequently amended by resolutions:

1498 (Board of Governors)
1615 (Board of Governors)

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Article 1 INTERPRETATION

1.01 Definitions

The definitions set forth in Articles 1.01 of By-Law Number 1 and Number 3 apply to By-Law Number 4.

However, in By-law Number 4, the following expressions mean:

- a) "OFFICER OF THE COLLEGE": the incumbent in one of the positions mentioned and described in Article 4.00 of By-law Number 1;
- b) "REGULAR TEACHING PERSONNEL" or "REGULAR TEACHER": any person hired by the College to teach courses in the regular sector;
- c) "MANAGEMENT PERSONNEL": any person who is a member of the cadre or gérant staff within the meaning of the Regulations of the Minister;
- d) "PERMANENT POSITION": a position established in a staffing plan and held or to be held by a regular employee other than a teacher, namely a member of the management, support or professional personnel;
- e) "STAFFING PLAN": an official document establishing the number of permanent positions for each of the management, support and professional personnel categories for each location of the College;
- f) "IMMEDIATE SUPERIOR": a member of management personnel, or other supervisor appointed for such purpose, who has direct managerial responsibility over an employee of the College;
- g) "DELEGATE": designated persons to whom officers of the College assign certain responsibilities and whose names appear on the chart drawn up by the Director General as in Article 2.02;
- h) "LOCATION": Champlain – Lennoxville, Champlain – St. Lambert, Champlain – St. Lawrence, or College Administrative Services;
- i) "LOCAL NEGOTIATIONS": those negotiations delegated locally by virtue of provincial agreements or other laws or regulations;

- j) "DIRECTOR": one or all of the Directors (Lennoxville, St. Lambert, St. Lawrence), Officers of the College as defined in Article 4.08 of By-law Number 1.

(R. 1615)

1.02 Designation

The present By-law, designated as Number 4, establishes the rules concerning the Human Resource Management of the College.

1.03 Director of Human Resource Services/Secretary General

The Director of Human Resource Services/Secretary General, in cooperation with the Directors and the Director General or his/her delegate, shall ensure that decisions pertaining to Human Resource Management comply with the applicable labour agreements, the Regulations of the Minister and the College Policy for Management Staff, and applicable laws and governmental regulations.

(R. 1615)

1.04 Representation of the College on the Labour Relations and Professional Relations Committees

The Director, and in the case of College Administrative Services, the Director General, shall appoint representatives of the College to the various labour relations or professional relations committees formed by virtue of the labour agreements to which the College is a party and by virtue of the College Policy for Management Staff. The Director General shall receive notification of all such appointments.

These representatives shall act for and on behalf of the College on such committees.

(R. 1615)

1.05 Local Negotiations

The Executive Committee shall oversee local negotiations conducted with unionized personnel. It shall also name and set the mandates of the College negotiators, approve the text of agreements and recommend ratification of such agreements to the Board.

The Executive Committee shall meet *in camera* to deliberate on matters concerning local negotiations. Personnel covered by Article 12 of the Act shall be excluded from such meetings of the Executive Committee for these deliberations.

1.06 Coordinator of Local Negotiations

The Director of Human Resource Services/Secretary General shall act as the coordinator of local negotiations. In such capacity and under the authority of the Director general, and in cooperation with the Directors and the Director of Financial Services, the Coordinator shall:

- a) coordinate the consultation process with all parties concerned and furnish the Executive Committee with as many original supporting documents as possible, prior to the recommendation on mandates;
- b) inform the College negotiators of the nature of such mandates;
- c) recommend bargaining strategies;
- d) report periodically to the Executive Committee on the progress of negotiations.

1.07 College Policy for Management Staff

In accordance with the Regulation of the Minister concerning the Working Conditions of Senior and Management Personnel of General and Vocational Colleges, the Board shall adopt a management policy applicable to management personnel.

Such management policy shall define the working conditions which are not provided for in the Regulation of the Minister and constitutes the reference document on the working conditions of management personnel applicable to the Association des cadres des Collèges du Québec (ACCQ).

1.08 Working Conditions of the Director General and the Director of Studies

The working conditions of the Director General and the Director of Studies not provided for in the Regulation of the Minister shall be

determined by the Board after consulting the Director General and the Director of Studies.
(R. 1498)

1.09 Coordination of Human Resource Dossiers

The coordination of human resource dossiers in relation with the "Système des personnels et organismes des collèges" and with annual financial statements is the responsibility of the Director of Financial Services.

The Director of Human Resource Services/Secretary General shall ensure that the administration of personnel dossiers assumed under his/her responsibility is made with full compatibility with the annual financial statements.

1.10 Personnel File

The personnel file of every employee is confidential and is maintained by the office of the Director of Human Resource Services/Secretary General, with the exception of the files of the Officers of the College, whose files shall be maintained by the Director General.

Article 2 HUMAN RESOURCE MANAGEMENT

2.01 General Rules

Pursuant to Articles 4.06, 4.08 and 4.09 of By-law Number 1 concerning the general administration of the College, the Director General, the Directors, the Director of Financial Services in the case of College Administrative Services, and the Director of Human Resource Services/Secretary General, under the authority of the Executive Committee, shall be responsible for human resource planning and coordination for the College.

However, subject to the Colleges Act and the Regulations of the Minister, to the labour agreements and to the College Policy for Management Staff, and subject also to the rules contained in By-law Number 4, day-to-day human resource management shall be under the responsibility of the Director or his/her delegate as an employee supervisor and, in case of College Administrative Services, the Director of

Financial Services. Moreover, the supervisor who is not a member of management personnel must be expressly appointed and empowered by the Officer of the College to whom such supervisor reports within the meaning of Article 2.02 of By-law Number 4.

Pursuant to Article 2.02, each member of management personnel, or other supervisor of personnel, must assume the day-to-day management of all personnel for whom such person is responsible, particularly with respect to motivation of employees, preparation of annual goals and objectives, evaluation of employees' performance, monitoring of absences, and recommendations for promotions, advancement or disciplinary measures.

When human resource management requires a decision which may involve a provision of a labour agreement or of the College Policy for Management Staff, such decision must be made only after consulting the Director of Human Resource Services/Secretary General, or the person to whom the latter has delegated such task so as to ensure that such a decision complies with the relevant labour agreement or the College Policy for Management Staff, as the case may be.

(R. 1615)

2.02 Organizational Chart

The Director General shall ensure that the Executive Committee has an up-to-date organizational chart of the College, on at least an annual basis.

Article 3 CREATION AND ABOLITION OF POSITIONS

3.01 General Rules

- a) **For non-teaching personnel:** Taking into consideration the relevant labour agreements, each Director, and for College Administrative Services, the Director General or his/her delegate, shall forward to the Director General a staffing plan for non-teaching personnel for the next fiscal year. Based on these submissions, the Director General, in cooperation with the Director of Human Resource Services/Secretary

General and the Director of Financial Services, approves these staffing plans. The Director General and the Director of Human Resource Services/Secretary General shall annually present information to the Executive Committee concerning these staffing plans.

- b) With regard to regular teaching personnel, the distribution, within the teaching disciplines, of the number of teachers allocated to each location shall be carried out on the basis of a plan established by the Director or his/her delegate, subject to the provisions of the labour agreement between the College and the teachers.

(R. 1615)

3.02 Specific Rules

- a) **For non-teaching personnel:** Any decision which results in a change in the number of permanent positions or in the classification of a permanent position, shall be approved, upon the recommendation of the senior College officer at the location, by the Director General in conjunction with the Director of Financial Services and the Director of Human Resource Services/Secretary General. The Executive Committee shall be informed of any such changes.
- b) **For regular teaching personnel:** Any decision which results in a change in the total number of teaching positions shall only be approved by the Director General, upon the recommendation of the Director and after analysis by the Director of Studies and the Director of Human Resource Services/Secretary General.

(R. 1498, 1615)

Article 4 DECISION TO FILL A VACANT POSITION

4.01 Management Personnel

Any decision to fill on a permanent basis any vacant management position shall be made by the Director General.

4.02 Professional and Support Personnel

Any decision to fill on a permanent or temporary basis a vacant professional or support personnel position shall be made by the Director General upon the recommendation of the senior College officer at the location concerned.

Article 5 SELECTION OF CANDIDATES

5.01 Management Personnel

Subject to the College Policy for Management Staff, the Director General or the Director shall decide on the composition and work schedule of the selection committees mandated to recommend a candidate for a management personnel position.
(R. 1615)

5.02 Regular Teaching Personnel

Should it be necessary to form a selection committee for the hiring of regular teachers, the members of such a committee shall be selected in accordance with the applicable labour agreement. The Director of Studies or the Director as his/her delegate shall appoint the two representatives of the College.
(R. 1498, 1615)

5.03 Professional Personnel

Should it be necessary to form a selection committee for the hiring of professionals, the members of such a committee shall be selected in accordance with the applicable labour agreement. The Director General, or his/her delegate, or the Director, as appropriate, shall appoint the College representative.
(R. 1615)

5.04 Support Personnel

Should it be deemed necessary to form a selection committee to fill a regular support personnel position, the Director General, or his/her delegate, or the Director, as appropriate, shall appoint the College representatives.
(R. 1615)

Article 6 HIRING AND ORIENTATION OF EMPLOYEES

6.01 General Rule

All hiring of employees shall respect the College Policy on Conflict of Interest and Nepotism.

6.02 Management Personnel

The hiring of management personnel shall be carried out in accordance with the Regulation of the Minister concerning the Working Conditions of Senior and Management Personnel of Colleges as well as with the College Policy for Management Staff.

The Director General shall hire all management personnel.

6.03 Teaching Personnel for Credit Courses

Subject to any labour agreements between the College and its teachers, the Director of Studies or the Director as his/her delegate shall authorize the hiring of teachers for credit courses. The Director of Human Resource Services/Secretary General shall confirm the hiring to the person concerned and shall determine the terms and conditions of such hiring.
(R. 1498, 1615)

6.04 Professional and Support Personnel

Subject to the labour agreements between the College and its professional employees or its support personnel, the Director General, or his/her delegate, or the Director, as appropriate, shall authorize the hiring of a professional or support employee. The Director of Human Resource Services/Secretary General shall confirm the hiring to the person concerned and shall determine the terms and conditions of such hiring.
(R. 1615)

6.05 Other Hirings

Other hirings shall be in conformity with Articles 5.03 and 5.04 of By-law Number 5.

6.06 Orientation of New Employees

The Directors, and in the case of College Administrative Services, the Director of Financial Services, in cooperation with the Human Resource Services Department, are responsible for maintaining orientation programs for new employees. Orientation of new employees shall be carried out by the immediate supervisor, in the case of a member of support, professional or management personnel, or by the department coordinator in the case of a faculty member.
(R. 1615)

Article 7 HIRING OF CASUAL OR STUDENT EMPLOYEES

7.01 Prior Authorization

The Directors or their delegates may authorize, within the limits of the budgetary allocations available to the sector or administrative department concerned, the hiring of a casual or student employee.
(R. 1615)

7.02 Selection

Subject to the provisions of the labour agreements to which the College is a party, the Director or his/her delegate, or the Director of Financial Services shall select casual or student employees for their respective locations.
(R. 1615)

Article 8 TRANSFERS, PROMOTIONS AND DEMOTIONS

8.01 General Rule

Any transfer, promotion or demotion must respect the restrictions contained in any labour agreement or management policy applicable to the employee concerned.

8.02 Specific Rules

The Director of Human Resource Services/Secretary General, as the delegate of the Director General, shall coordinate the transfers, promotions and demotions of personnel within the framework of the annual staffing plans of the College.

Article 9 DISCIPLINARY MEASURES

9.01 General Rule

Only a member of management personnel can make a decision on a disciplinary measure.

9.02 Specific Rules

Any disciplinary measure must be made in conformity with the relevant collective agreement, personnel policy, and the by-laws of the College. A decision concerning such sanctions (dismissal or suspension) shall be made:

- a) by the Director General, in the case of management personnel;
- b) by the senior College officer at the location concerned, in the case of professional and support personnel; and,
- c) by the Director of Studies or the Director as his/her delegate, in the case of teaching personnel.

(R. 1498, 1615)

Article 10 PERSONNEL EVALUATION

10.01 Evaluation Policies

The Director General shall be responsible for the development, revision and implementation of the Evaluation Policy for Management Personnel.

For support, professional and teaching personnel, the Director, and in the case of College Administrative Services, the Director of Financial Services, shall be responsible for the development, revision and implementation of the relevant evaluation policies. According to criteria established in these policies, each employee's performance must be evaluated periodically, particularly when a decision must be made to grant permanent status to such employee.
(R. 1615)

10.02 Performance Evaluation

The evaluation of an employee's performance is based on the results achieved at the end of a period compared to the expectations established by the immediate superior at the beginning of the period. Such expectations must be established

particularly in terms of the job description and the activities defined in the annual goals and objectives.

The evaluation policy shall indicate the frequency of such evaluations. Performance evaluations shall become part of an employee's permanent personnel file.

**Article 11 PROFESSIONAL
 DEVELOPMENT**

**11.01 Professional Development
 Policies**

For each category of personnel, the College shall establish policies to encourage and promote the professional development of its employees, taking into account the priorities of the College, the provisions of labour agreements and the College Policy for Management Staff.

The organization of professional development activities as well as the development, revision and implementation of professional development policies, shall be the responsibility of the Director General, or his/her delegate, and the Directors at their respective locations.

(R. 1615)

**Article 12 SIGNING AUTHORITY FOR
 SPECIFIC PURPOSES**

**12.01 Hiring of Management
 Personnel**

The Director General, and the Director, as applicable, as well as the Director of Human Resource Services/Secretary General, are mandated to sign jointly, for and on behalf of the College, the contract of engagement of every person who is hired as a member of management personnel.

(R. 1615)

**12.02 Hiring of Teachers,
 Professional and Support
 Personnel**

The Director of Human Resource Services/Secretary General and either the Director General, or the Director or the Director of Financial Services as his/her delegate shall sign jointly, for an on behalf of the College, the contract of engagement every person hired as a

teacher, professional employee or support employee to carry out duties governed by labour agreements and policies to which the College is a party.

(R. 1615)

12.03 Other Employment Contracts

The Director of Human Resource Services/Secretary General, the Director of Financial Services, and the Director or his/her delegate shall sign jointly, for and on behalf of the College, the contract of employment of every person hired or who is assigned duties not governed by labour agreements or the College Policy for Management Staff.

(R. 1615)